

Message Text

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PAGE 01 SAN JO 02874 141407Z

44

ACTION ARA-10

INFO OCT-01 ISO-00 ARAE-00 SSO-00 NSCE-00 USIE-00 INRE-00

CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03 NSAE-00 NSC-05

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FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC IMMEDIATE 776

LIMITED OFFICIAL USE SAN JOSE 2874

E.O. 11652: N/A

TAGS: PFOR, OAS, CS

SUBJECT: SAN JOSE CONFERENCE: REVIEW WITH
GOCR OF KEY RIO TREATY ARTICLES

REF: STATE 133032

PER INSTRUCTIONS REFTEL, EMBOFF MET WITH CHIEF OF
CABINET OF FOREIGN MINISTER FACIO, LIC. MARIO BLANCO,
TO REVIEW ARTICLES WHICH MAY PRODUCE CONTENTION IN
SAN JOSE MEETING. BLANCO IS OF VIEW THAT PRINCIPAL
ISSUES IN GRAND PART HAVE BEEN RESOLVED, OR THAT
POSITIONS OF COUNTRIES SUFFICIENTLY KNOWN SO AS NOT
TO PRODUCE ANY SIGNIFICANT CONTENTION IN MEETING.
SPECIFICALLY, THREE POINTS WERE REVIEWED:

(A) BLANCO CONCURRED THAT AN ARTICLE 3 CLEARLY
APPLICABLE TO ARMED ATTACKS FROM OUTSIDE THE
HEMISPHERE IS IN COSTA RICAN INTEREST. HE SAID THAT
ACCORDING TO HIS UNDERSTANDING OF PRESENT DRAFT LANGUAGE
OF ARTICLE 3 THIS ASPECT WILL BE ADEQUATELY COVERED, AND
THAT OBLIGATORY CHARACTER OF "ATTACK AGAINST ONE IS AN
ATTACK AGAINST ALL" WILL BE PRESERVED.

(B) BLANCO AGREED THAT INTRODUCTION OF COLLECTIVE
ECONOMIC SECURITY INTO THE TREATY, IN VIEW OF THE
OPPOSITION OF "CERTAIN COUNTRIES," IS NOT DESIRABLE AND
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PAGE 02 SAN JO 02874 141407Z

THAT COSTA RICA, ALTHOUGH IT SUPPORTS THE CONCEPT, WILL

NOT FAVOR MENTION THEREOF.

(C) REGARDING ARTICLE 17, BLANCO STATED THAT HE UNDERSTANDS THAT PRACTICALLY EVERYBODY IS ON BOARD TO CHANGE THE 2/3 REQUIREMENT TO MAJORITY. HE SPECULATED THAT IT MIGHT THEN BE ARGUED THAT A MAJORITY VOTE TO LIFT SANCTIONS WOULD BE LEGAL ON A PROVISIONAL BASIS TO COVER ANY CASE THAT MIGHT COME UP BETWEEN CHANGE AND RATIFICATION, AND CITED SOME INTERNATIONAL LAW PRINCIPLES. HOWEVER, HE ALSO INDICATED THAT COSTA RICA WOULD TAKE A LEGALIST VIEW OF THIS ISSUE AND INSIST ON RATIFICATION BY 2/3 OF THE MEMBERSHIP IN ORDER FOR THE MAJORITY VOTE TO BE LEGAL.
TODMAN

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